

House Study Bill 136 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON MILLER)

A BILL FOR

- 1 An Act relating to state requirements for county and
- 2 multicounty juvenile detention homes.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 232.142, subsections 3, 5, and 6, Code
2 2013, are amended to read as follows:

3 3. A county or multicounty juvenile detention home approved
4 pursuant to this section shall receive financial aid from the
5 ~~state in a manner approved by the director in accordance with~~
6 the requirements established in this section for the juvenile
7 detention transition fund and in appropriations made to provide
8 such aid. Aid paid by the state shall be at least ten percent
9 and not more than fifty percent of the total ~~cost~~ costs of the
10 establishment, improvements, operation, and maintenance of the
11 home.

12 5. The director shall approve annually all such homes
13 established and maintained under the provisions of this
14 chapter. A home shall not be approved unless it complies with
15 minimal rules and standards adopted by the director and has
16 been inspected by the department of inspections and appeals.
17 The statewide number of beds in the homes approved by the
18 director shall not exceed the number of beds in approved homes
19 as of July 1, 2012.

20 6. a. A juvenile detention home fund is created in the
21 state treasury under the authority of the department. The
22 fund shall consist of moneys deposited in the fund pursuant
23 to sections 321.218A and 321A.32A. The moneys in the fund
24 shall be used for the costs of the establishment, improvement,
25 operation, and maintenance of county or multicounty juvenile
26 detention homes in accordance with annual appropriations made
27 by the general assembly from the fund for these purposes.

28 b. For purposes of allocating moneys among the juvenile
29 detention homes of this state in accordance with this
30 subsection, a detention home's costs shall reflect only those
31 costs attributed to the children placed in the detention
32 home from a court in the judicial district in this state in
33 which the detention home is located and any of the following
34 placements:

35 (1) The placement is from another judicial district in

1 this state but the child's residence is located closer to the
2 detention home of placement than to the detention home serving
3 the other judicial district from which the child was placed.

4 (2) The placement is from another judicial district in this
5 state and the court ordering the placement has determined that
6 placing the child in the detention home serving such judicial
7 district would be detrimental to the child's well-being or is
8 not in the best interests of the child.

9

EXPLANATION

10 This bill relates to county and multicounty juvenile
11 detention homes in this state.

12 Under current law in Code section 232.142, the juvenile
13 detention homes are subject to approval by the director of the
14 department of human services (DHS). The Code section requires
15 the state to pay financial aid to the juvenile detention homes
16 in an amount that is at least 10 percent and not more than 50
17 percent of the total cost of the establishment, improvements,
18 operation, and maintenance of the home. The Code section also
19 deposits into a juvenile detention home fund civil penalties
20 assessed when the department of transportation suspends,
21 revokes, or bars a person's driver's license or nonresident
22 operating privilege pursuant to Code section 321.218A for
23 a conviction under Code chapter 321 (motor vehicle law) or
24 pursuant to Code section 321A.32 for failure to have motor
25 vehicle liability insurance or other financial responsibility
26 as required under Code chapter 321A. The moneys in the fund
27 are to be used for the costs of the detention homes.

28 The bill links the percentage requirements for the aid
29 provided to the juvenile detention homes to the requirements
30 established for the juvenile detention home fund, limits the
31 statewide number of beds in the homes approved by the director
32 to the number of beds in approved homes as of July 1, 2012,
33 and limits juvenile detention home costs that can be included
34 in the calculation of state aid to those costs attributed to
35 children placed from judicial districts in this state.

1 With two exceptions, only costs attributed to the children
2 placed in the detention home from a court in the judicial
3 district in which the detention home is located can be used for
4 allocating moneys from the fund. The two exceptions are when
5 the placement is from another judicial district in this state
6 but the child's residence is located closer to the detention
7 home of placement than to the detention home serving the
8 judicial district from which the child was placed and when the
9 placement is from another judicial district in this state and
10 the court ordering the placement has determined that placing
11 the child in the detention home serving such judicial district
12 would be detrimental to the child's well-being or is not in the
13 best interests of the child.